

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

UNITED STATES OF AMERICA,	)	
	)	
Plaintiff,	)	
	)	
vs.	)	Civil Action No. 99-005 (MMS)
	)	
DENTSPLY INTERNATIONAL, INC.,	)	
	)	
Defendant.	)	

**UNITED STATES' MOTION FOR ENTRY OF A PROTECTIVE ORDER**

Pursuant to Fed. R. Civ. P. 7(b) and D. Del. LR 7.1.1, Plaintiff, the United States, respectfully requests that this Court, pursuant to Fed. R. Civ. P. 26(c)(7), enter a Protective Order, prohibiting Defendant from obtaining the materials requested in its Third Request for Documents, for the reasons stated in the attached brief. Specifically, the United States requests that the Court enter an order that Defendant shall not be able to discover the survey expert materials of the United States until the time for expert discovery, and, consequently, the United States need not produce documents in response to Dentsply's Third Request for Documents. The United States further requests that the Court enter an order that Defendant shall not be entitled, at any time, including during fact and expert discovery, to the identities of the respondents to the survey conducted by the United States' survey expert.

In support of this motion, the United States states that, as shown in the accompanying brief, it has made a reasonable effort to reach agreement with Defendant's attorneys on the subject of this Motion, the result of which was unsuccessful.

Dated: November 8, 1999

Respectfully submitted,

COUNSEL FOR PLAINTIFF  
UNITED STATES OF AMERICA

CARL SCHNEE  
UNITED STATES ATTORNEY  
FOR THE DISTRICT OF DELAWARE

/s/

---

Judith M. Kinney (DSB #3643)  
Assistant United States Attorney  
1201 Market Street, Suite 1100  
Wilmington, DE 19801  
Tel.: (302) 573-6277

/s/

---

Mark J. Botti  
William E. Berlin  
Sanford M. Adler  
Frederick S. Young  
Michael S. Spector  
Dionne C. Lomax  
United States Department of Justice  
Antitrust Division  
325 Seventh Street, N.W., Suite 400  
Washington, DC 20530  
(202) 307-0827